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## 2011-04-15 Minutes of the Executive Committee of the Academic Senate

University of Dayton. Academic Senate. Executive Committee

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Approved  
Minutes of the Executive Committee of the Academic Senate  
April 15, 2011; 9 a.m.  
St. Mary's Hall Room 113B

**Present:** Paul Benson, Corinne Daprano, George Doyle, Heidi Gauder, Judith Huacuja, Leno Pedrotti, Carolyn Phelps, Joseph Saliba, Andrea Seielstad, Katie Trempe, Rebecca Wells

**Absent:** Antonio Mari

**Guests:** James Farrelly, Thomas Eggemeier

**Opening Meditation:** Carolyn Phelps opened the meeting with a meditation

**Minutes:** The minutes of the April 8, 2011 ECAS meeting were approved.

**Announcements:**

The next meeting of the Academic Senate is scheduled for today (April 15, 2011), in the KU Ballroom at 3:00pm. After this final Senate meeting of this AY is adjourned newly elected Senators will be seated.

The final faculty meeting of this AY will be held on May 10, 2011 in the Boll Theatre at 3 PM.

**New Business:**

MS in Human Factors Engineering PDP. Thomas Eggemeier presented a preliminary review of the MS in Human Factors Engineering Program Development Proposal (PDP) to ECAS. The Executive Committee of the Graduate Leadership Council approved the MS in Human Factors Engineering PDP on April 1, 2011. The PDP is the initial step in the OBR process for seeking approval for a degree program, and does not commit the University to the program. The GLC has submitted this PDP to ECAS for preliminary review, a complete proposal will possibly be brought to the ECAS and Senate in Fall 2011. The formal application for degree granting authority is a Full Proposal that would be submitted to OBR subsequent to receiving RACGS comments on the PDP. As a preliminary document that is limited to five pages plus appendices, the PDP does not include full details of the proposed program or a fiscal analysis. All of that will be provided if the University seeks to move forward with a Full Proposal. Given the nature of the PDP, the GLC process has been to inform ECAS of the intention to forward it to OBR, and then provide the subsequent Full Proposal for full vetting with ECAS, the AAC, and the Senate.

Review by the GLC provided the following feedback:

1. We look forward to seeing the business plan in the full proposal.
2. Since the new tenure line faculty members will have expectations for funded research, please provide some detail on the opportunities for external funding in human factors.

After a review of the PDP by T. Eggemeier, P. Benson commented that there is great enthusiasm for this program in the College of Arts & Science (CAS), particularly because it is an interdisciplinary program. T. Eggemeier explained that the program proposal responds to accreditation requirements and eventually calls for the creation of a combined undergraduate/graduate master's 5 year degree program.

T. Eggemeier responded to questions from members of ECAS regarding low initial enrollments by indicating that CAS wanted to build a national reputation for the program and expected increases in

both enrollment and amounts of funded research grants over time. P. Benson indicated that CAS did not want to overstate enrollment goals in the PDP and added that there is a great deal of funded research money available for this program. Additionally, T. Eggemeier indicated that the new degree program would allow for the creation of research synergies with UDRI, specifically with an already existing UDRI Human Factors group. He also stressed that CAS really wanted to create an interdisciplinary program that was reflective of what the field should be doing.

T. Eggemeier indicated that the PDP would be brought before the Provost's Council and Board of Trustees for comment in late May or early June, a full blown proposal with marketing plans included will then be developed and presented for further review and approval to ECAS, AAC and the Academic Senate, the proposal would then be sent to the Ohio Board of Regents RACGS (Regents Advisory Committee on Graduate Study) in May/June of 2012 with a program launch for the Fall 2012. Members of ECAS supported this timeline and further development of the PDP.

## **OLD BUSINESS**

Senate Voting Rights Committee Formation: J. Huacuja indicated that since the Senate Voting Rights proposal passed, the following recommendation from DOC I-1101 is to be enacted in August 2011:

**Further recommendations:** The Academic Senate was reconstituted in 1981, and since that time many changes in the size of the administration as well as the faculty and student bodies have developed. Due to the many changes across the University of Dayton these thirty years, a reassessment of Academic Senate representation is warranted. The Senate will charge a sub-committee of faculty and administrators to undertake a study examining the possible need for greater representation of faculty and students. This study would consider the proportional representation of faculty, students, and administrators at the University of Dayton, and would strive to articulate ideal ratios for representation of faculty, students and administrators. The sub-committee will report to the Senate its findings by April 2012.

J. Farrelly suggested that a subcommittee be constituted by December so elections can move forward. Appointment of a subcommittee in August 2011 that would report to ECAS prior to the December Academic Senate meeting would allow for a formulated proposal that could be voted on by April 2012.

The CAP & Competencies Committee requests the clarifications from ECAS: J. Huacuja asked the members of ECAS to consider the following 2 issues brought forward by the newly constituted CAP & Competencies Committee.

1. PROCEDURAL ISSUE: As we understand the approved CAP document, the CAP Committee serves as a standing subcommittee of the APC and it also must "...develop its own procedures for performing its duties and such procedures shall be submitted to the Executive Committee of the Academic Senate for its approval." NEED PROCEDURAL CLARIFICATION: Does the CAP Committee submit its "procedures" to the APC who then submits to ECAS or does the CAP Committee submit directly to ECAS.

Members of ECAS agreed that the CAP & Competencies Committee should submit their procedures directly to the APC.

2. VOTING ISSUE: Meaning of "Ex-Officio" in CAP document (particularly in terms of voting rights) in reference to the CAP Committee (NEED ECAS AFFIRMATION OF COMMITTEE DECISION):  
The CAP document states that, "The Committee will be composed of a minimum of nine members plus three ex officio members. The ex officio members are the Assistant Provost for the Common Academic Program, an Associate Dean of the College of Arts and Sciences; and the Registrar or designate....Each

under-graduate dean has the option to serve or to appoint a designate as an ex officio member in addition to the ex officio members identified above." The 7 faculty and 2 student members that make up the CAP Committee (the nine members) all interpreted the CAP document to mean that only those 9 members are voting members of the committee. Juan Santamarina, as the newly elected Chair of the CAP Committee, and a quorum constituted, asked for a vote by the 9 faculty/student members on the matter.

MOTION: That the only voting members of the CAP Committee are the 9 members (7 faculty and 2 students) that constitute the CAP Committee. The vote was unanimous of those present that only the nine (9) members vote (not "Ex-Officio" members).

Members of ECAS agreed with a clarification statement that the 3 ex-officio members of the committee (i.e. Assistant Provost for CAP, Associate Dean of CAS and Registrar) are voting members of the committee. Further, ECAS interpreted the CAP document to indicate that the undergraduate Deans are not voting members. The undergraduate Deans membership on the committee allows them to weigh in on issues but not vote. ECAS members agreed that the CAP document seeks to reproduce the same voting structure as the existing General Education & Competencies committee and add consultation by the undergrad Deans.

ECAS's position regarding these 2 issues will be forwarded to the APC.

Academic Dishonesty Form: A. Seielstad reviewed changes made to the Academic Dishonesty report form that was presented to ECAS by the APC on April 1, 2011. The form was originally created by the SAPC for reporting student academic misconduct and subsequently reviewed by the APC. Based on discussion at the April 1 ECAS meeting, J. Huacuja asked A. Seielstad to make several additional changes to the form. Those revisions included insertion of a time frame for the appeals process and removal of the student's ID number from the form. J. Huacuja indicated that the Academic Dishonesty form would be added to the Senate's Issues List for next year (2011-12) and sent back to the APC for review of these additional changes.

Review Senate DOC 1 07-05 (Processes & Procedures of the Senate): J. Huacuja suggested several minor changes to p. 9 of the document.

Consultative Process: A. Seielstad presented a draft statement to members of ECAS entitled "Statement on Senate Consultation in Appointment & Hiring" (see attached document). The draft statement was approved by a vote of 5 approved; 2 abstain. ECAS then voted that J. Huacuja would introduce the draft statement at the Academic Senate meeting later that day for comment by the AS by a vote of 7 approved; 0 opposed; 0 abstain.

The meeting was adjourned at 10:15 AM.

Respectfully submitted by Corinne Daprano

## **STATEMENT ON SENATE CONSULTATION IN APPOINTMENT AND HIRING**

ECAS formally expresses concern about the University's creation and hiring of new Vice Presidential positions without notice or consultation with the Academic Senate and urges the Offices of the Provost and President to ensure appropriate consultation in advance of future decisions of the like.

Broad consultation promotes compliance with the University's Affirmative Action and Equal Opportunity Policy,<sup>1</sup> ensuring that opportunities for hiring, promotion, additional pay, leadership, advancement, and other tangible benefit within the university be widely announced across campus with equal opportunities for all qualified to apply and receive due consideration for such opportunities.

Consultation is also consistent with the Academic Senate's authority under Article II of its Constitution<sup>2</sup> to exercise legislative or concurrent authority over matters that impact the academic and educational development of the University and to propose or to comment upon policies other than those academic and educational including the selection, review and retention of the President and Vice Presidents, Program Directors, Chairpersons, and Academic Deans.

Broad consultation also results in better, more-informed decisions and policy-making within the university, more sound organizational structure, and goodwill and collegiality within the campus community.

In this instance, the newly created positions, while clearly also involving issues of personnel and administrative oversight, directly impact the learning environment and direction of the academic programs and reputation of the university. They involve matters over which the Senate has express consultation authority and interest. Additionally, the resulting appointments did not involve open search processes that might have enabled consideration of a diverse pool of candidates.

WHEREFORE, ECAS conveys its concern to the Office of the Provost, the President, and the Board of Trustees about past appointments that took place without Senate Consultation and requests that appropriate notification and opportunity for consultation take place in future hiring, appointment, promotion, and decision-making involving the creation of new positions or programs.

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<sup>1</sup> <http://campus.udayton.edu/~hr/hrwebsite/Policies/AAEEOPol.htm>

<sup>2</sup> <http://academic.udayton.edu/senate/constitution.html>